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Index to Legal Periodicals and Law Library Journal

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EDITORIALS.

INDEX TO LEGAL PERIODICALS.

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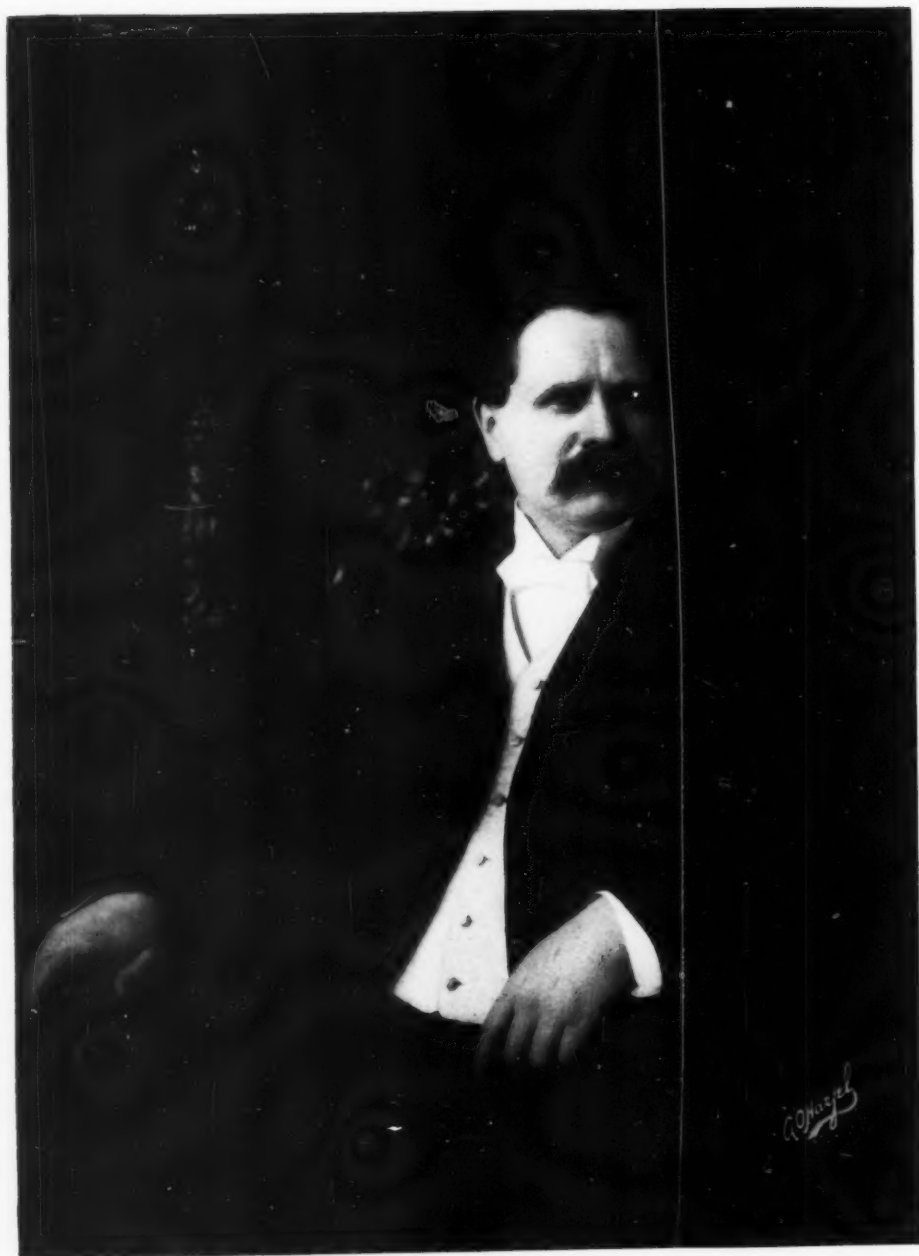
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PRESIDENT A. J. SMALL

INDEX TO LEGAL PERIODICALS AND LAW LIBRARY JOURNAL

Vol. I.

JANUARY, 1908.

No. 1.

PROCEEDINGS OF THE SECOND ANNUAL MEETING OF THE AMERICAN ASSOCIATION OF LAW LIBRARIES.

Held at Asheville, N. C., May 24-28, 1907.

ADDRESS OF WELCOME.

Miles O. Sherrill, Librarian, State Library, Raleigh, N. C.

Mr. President, Fellow Librarians, Ladies and Gentlemen: There is a time when we must act whether "Barkis is willing" or not. I first received a letter from my unknown friend, Mr. A. J. Small, librarian of the law library of the "Hawkeye State," and president of the American Association of Law Libraries, requesting me to make a speech of welcome to his Association, which was to meet here in Asheville in connection with the A. L. A. and other library organizations. I desired to be more courteous to my friend from Iowa than I was in the early sixties, when I aided and assisted in trying to prevent our friends from the "Hawkeye State" from making a visit to North Carolina, so I accepted his invitation. About the next day I received a request from Mr. J. L. Gillis, of California, State Librarian and President of the National Association of State Libraries, making a similar request. This brought to mind a circumstance where during a great drought the people assembled for prayer and fasting, calling on the Lord for rain; it came in great abundance, a "regular gully washer and trash mover," doing much damage; and as they were leaving the church an old brother said: "Brethren, don't you think we overdid the thing in our asking for rain?" So when my friend Mrs. Ross, President of the North Carolina Library Association, requested me to make a five minutes' speech in response to another address of welcome, I felt like the old brother, "My friends, don't you think you overdid the thing," in asking so much of me. However, it does not make much difference. We are all here with one accord in this beautiful city to exchange views, and help each other in library work.

I have a very kind feeling for the lawyers and their profession, and for this Association. For many years I was clerk of the Superior Court of Catawba county, and consequently intimately connected with the lawyers, and realized the great importance of law libraries. As a class they are a fine set of men. Of course there are some "scrubs" among them, as in all other callings in life. I believe it is conceded that as a class they can take care of themselves; at least I saw a few days ago where some school boys had for discussion the subject, "Is it wrong to wrong or cheat a lawyer?" After three hours' discussion the decision was: "It is not wrong to do so; but too difficult to pay for the trouble." According to that decision our lawyer friends can take care of themselves.

The number of lawyers in the United States in 1900 was 114,703, and in North Carolina there were 1,263 licensed lawyers. What an army of men, what a blessing to them if they all had access to a good law library! What a blessing

to the public if this vast multitude remember and keep the oath that they each one took when they entered upon the duties of their profession!

My friends, you have been made welcome to this beautiful city of fresh air, pure water and kind hospitality, which I trust will be the means of adding days to your life. But friends and fellow librarians, we want to give you a regular North Carolina welcome to the entire state. The time was when North Carolina was designated as "A strip of land between two states," when the state was noted for "tar, pitch and turpentine," and that only. But these proverbs have become obsolete. Please excuse me, if I enumerate a few things besides "tar, pitch and turpentine" that pertain to our state, for I feel that it is right and proper that you should know something of the state you are visiting, for we are a part of this great nation.

We have water power, minerals and timber, and can raise cotton, rice, corn, wheat, buckwheat, apples, peanuts, potatoes, oranges, chestnuts, tobacco, berries of all kinds, including "huckleberries" which grow spontaneously, also "tar, pitch and turpentine," and fish and oysters galore; and our state is noted for pretty women and gallant men; and if you all will make a trip down east some of you will get so much tar on your heels that you will stick. Selah—"So mote it be." When you *stick*, we will treat you royally as residents of North Carolina.

North Carolina was the second state in the Union to establish a state university, which it did in 1789; and that of course meant a library, and we have an excellent one there today. We have in North Carolina over 550 manufacturing establishments, an increase in the year 1906 over 1905 of 113. Just think of it! At this rate, what will our state be at the end of the next two decades? My friends from the New England states, you would better come down here and get on the "band (or manufacturing) wagon." We have numerous rich gold mines in our state, and "Uncle Sam" has had a United States mint at Charlotte, where the gold was coined into money. We have in our state almost any mineral that can be named, in fact we have one kind that is only to be found in North Carolina, viz.: the "Hiddenite," a mineral found in Alexander county, which ex-Congressman Linney declared "is so rich and valuable that a 'June bug' could carry one thousand dollars (\$1,000) worth on his wings."

My friends, there are so many things to be said of this land of *Goshen*, that it is hard for me to stop. I wanted you, friends of the North and West, to know that North Carolina never again can be called in derision "Rip Van Winkle," for she never sleeps. Yes, and I will state right here by way of parenthesis and for the benefit of my friends from Tennessee that our state has furnished three presidents to our country, via (our daughter) Tennessee.

Well, sir, your Association has the honor of being in the regular line of succession, the Mosaic line; for Moses was the first librarian of which we have any record. When God established the first law library he appointed Moses librarian, and this meek man came down from the mountain carrying the whole library on his shoulder, but he was not as prudent as he was meek, for he saw his people acting so foolishly that instead of laying down his library he threw it down and broke it to pieces. Can you conceive of the increase of the library business since the time that Moses took charge of the first law library?

You are not only welcome to Asheville, but to North Carolina; our doors are open to you, yes, our hearts are open to you, especially to the female part of the Association. I feel sure you all will be so delighted with this earthly Eden that you will wish to make Asheville the permanent meeting place for these Associations.

RESPONSE.

Andress H. Mettee, Librarian, Library Company of the Baltimore Bar, Baltimore, Md.

Mr. President, and Ladies and Gentlemen of the American Association of Law Libraries: I am sure I would perform a duty if I should be brief in my remarks on this occasion, and urge my co-workers on to results; but the welcome address of our friend, the Librarian of the state of North Carolina, causes me to pause, and, as the mouthpiece of this Association, to reciprocate the greetings of the state of North Carolina and say "I thank you." It is a very pleasant duty, indeed, to respond to so cordial a welcome to so picturesque and hospitable a place. It is, indeed, a luxury for this Association to work amid such surroundings as here afforded. It is well that Providence has designed so conducive a place, where an Association that knows no geographical divisions may meet and eke out some good. Indeed, much good can be accomplished by these meetings. The law librarian is an index to the community. As time rolls on, his usefulness becomes more pronounced. He is becoming the adviser to the adviser, and if he is well trained and gives honest guidance, much delay and even failure to measure up, will be averted. He is called on to devise the means of imparting information to the profession, and a good law librarian is he who plods along and makes provision for the inquiring. It is the good work of such libraries which caused the eager to assemble here to learn and impart. We have a multifarious task before us. It is not in my province to enumerate the various topics and phases for discussion which this Association should thresh out, nor the order in which they should be taken up; but it may be well for me to mention, in passing, a few of the pressing and ominous questions the larger and smaller libraries are now confronted with.

Is a law library a storage house?

If a law library is an educational function of the public shall the voice of this Association remain silent while the laws of the United States impose an *ad valorem* duty on the importation of law books?

Is it a part of the duty of a librarian to collate a biographical index, and, if so, to what extent?

What books should be in every law library?

Although excusable, I must not go too deeply into the list of problematic questions confronting us, but must bear in mind my pleasant duty. The Association is exceedingly grateful to those who have welcomed us, as well as to those who have made the preparations for our entertainment. We trust that the time spent in this sojourn may be profitably spent, and that we may be caused to ponder at home of the many happy moments, and the pleasant associations here created.

As in the season of our youth,
We stand for friendship, love and truth,
They ever live.
And safe within their gentle thrall,
We to the world at large—to all,
Our greeting give.

I again thank you.

PRESIDENT'S ADDRESS.

A. J. Small, Law Librarian, Iowa State Library, Des Moines, Iowa.

On the 2nd day of July, 1906, a little company of law librarians met in one of the parlors of the Hotel Mathewson, at Narragansett Pier, and there laid the foundation and corner stone of the American Association of Law Libraries. From that hour the success of the Association was assured. Your officers have ever been mindful as to its interests, and in a few brief months our Association has grown beyond expectation, now having a membership of over seventy-five. Already much good has been accomplished in the interests of law libraries, and we predict for the Association a brilliant future. We do not see how it can be otherwise.

In this age when libraries have become a public necessity it is important that librarians form themselves into a body, and thereby seek through united efforts the best methods of obtaining results. There has never been a time when there has been such a demand for better service and co-operative work and generalship in opening up and planning campaigns for more systematic efforts than the present. In every field of action there has been some one to marshal on the host to victory. In the general libraries they have had their Poole, their Dewey and their Cutter.

But who will be our leader? Who is he? You cannot tell nor can I; he may be in our presence today—who knows? When he comes let us not declare him a heretic and charge him with false teachings before his works are proven. More than once have the aggressive leaders of other fields of library work, more matured than our own, been declared fanatics. Who knows the destiny and possibilities of librarianship, even in the least favored branches?

One thing is sure, the reformer is not the short term favorite of some governor, or some other official having appointive power. Do not misunderstand me as saying that librarians thus appointed are not earnest and aggressive and are not doing all the work possible in the time they have. The fault lies in the fact that the favored administration ceases to exist long before the appointee has an opportunity to mature and develop reforms or make much improvement. I have in mind a library that had several short-termed librarians, and finally it took the present librarian six years to straighten out and make a uniform system. What we should stand for, and work for, is better librarianship, better facilities, and this can only be brought about by stability of organization and co-operation, and, as far as possible, the removal of the librarian from the influence of politics and the library from the ban of short term service. Make the librarian's vocation a profession rather than a mere occupation; the librarian should fit himself for life work, and he should be given encouragement and tools to work with, and be expected to shape his library's destiny or step down and out of the service.

We as law librarians have not heretofore been in as favored a position as we occupy today. We inherit from the mother association the general principles of library work; yet, we must solve many questions not applicable to other branches of the A. L. A. organization. Our problems are necessarily peculiar to ourselves, but the principles are there and we may apply and adapt those that do apply and build upon foundations already laid. The A. L. A. is still struggling with its problems; new methods and new avenues for better service are coming before them, and so it will be with us.

Our program this year is fragmentary in the main, being mere outlines of our future development. We are undertaking but a few questions and it is not best that we should attempt more; for it may be said that this is positively not our last appearance. It will take time to bring about the desired results, for we must overcome prejudice and custom of long standing. It is wise not to be radical, but gradually to clear up the tares, fill up the ruts, drain the low places, and scatter new seeds of progress as rapidly as is consistent to safe library administration.

At the time of our organization it was the general feeling of those present (though no official action was taken) that our association should become an auxiliary society of the A. L. A. Under the then existing laws of that association this was not possible, except by becoming a section instead of a self-governing body. To meet the wishes of several kindred organizations, the executive board of the A. L. A. changed its laws and permitted us as well as others to become an affiliate body and yet be wholly independent so far as government is concerned, but remaining a part to the extent of being listed as an affiliate, being placed upon the official program, and meeting at the same time and place as the A. L. A. In order to avail ourselves of the advantages of advertising, rates, etc., the executive committee of our Association affiliated with the A. L. A., and we are now enjoying the rights and privileges accorded an affiliate body.

The question of law classification will be presented for your consideration in two papers—one by Mr. Berry, of New York, upon the author arrangement, the other by Dr. Wire, of Worcester, on the subject arrangement. This question is, in my opinion, the most important for our consideration. It has been our purpose to give wide range of thought to the question, and I trust we may discuss it from its various angles and arrive at a satisfactory basis of law classification.

We will also have a carefully prepared report from the committee on indexing of legal periodicals. This, too, is a very important subject, and I trust this conference will not close without giving it full consideration and the adoption of some plan whereby we may make the law literature available.

An important report will be presented by the committee on legal bibliography. Also, a committee has given much thought to the exchange of legal works. And lastly, I am sure it will be a pleasure to hear a paper by Mr. C. H. Gould, of Montreal, on the Candian law libraries.

I would recommend the appointment of a committee to confer with the Librarian of Congress, relative to obtaining aid in carrying out the purposes of our organization. That great institution has been and is doing a splendid work in the publishing of reference lists, cataloging cards, etc., for other branches of library work. I am informed that the Librarian of Congress has already undertaken some such work especially for the law libraries. I believe he will be glad to confer with representatives of this association in regard to such matters.

I would also recommend that our proceedings be printed and distributed. Our membership being scattered over a vast territory, we can hardly hope that all will be present at our meetings. We should not live to ourselves alone, but spread the gospel. I doubt that our present revenues will meet such an expense and I would recommend consideration along that line.

I would suggest that a committee be appointed to gather statistics relative to the law libraries of the country, and report their findings at the next meeting of the Association. This, I am sure, will be a valuable asset of knowledge, not only to our membership but to others.

I believe we should make an attempt to persuade Congress to furnish Statutes

at Large and Revisions, and other legal publications to the distinctively law libraries, as is provided for, to the state libraries.

In the brief period in which we have been banded together, we have been called upon to mourn the loss of one of our members. On February 2, 1907, Mr. Alfred J. Hook, Librarian of the Law Library in Brooklyn, died suddenly at his home of heart disease. Mr. Hook, though not rugged in health, continued his work to the day of his demise. He became assistant librarian in 1878, and held that position until he became librarian, succeeding Mr. Stephen C. Betts at the time of the latter's death in 1899. Mr. Hook was loved and respected by all, and was a librarian in the truest sense. No member, in my opinion, labored more earnestly for the good of his library than did our deceased brother. Though dead, he still lives in the memory of his fellows, and his life's work is his most fitting monument.

I feel sure I voice the expression of this Association when I say that we sincerely regret the untimely death of our brother, and that we extend to his family our profound sympathy in their loss and sorrow.

In closing I wish to express my high appreciation for the uniform courtesy I have received from officers and members alike. In my association with men I have never met or associated with a body more genial and having the interests of an association more at heart than those whom you selected to serve with me during the past year.

THE LAW LIBRARY.

ADDRESS AT A JOINT SESSION WITH THE AMERICAN LIBRARY ASSOCIATION.

Frank B. Gilbert, Law Librarian, New York State Library, Albany, N. Y.

There is no class of men, professional or otherwise, so dependent upon books as the lawyers. There is no library, of whatsoever, kind or nature, which so directly pertains to the interests which it is designed to serve, as the law library. I am speaking with authority when I say that the lawyer's books are his tools, without which he would be unable to provide for himself and his family. Courts of last resort of good standing in our country have expressly classed law books with the brick mason's trowel and spirit level, and declared that, like them, they could not be sold under an execution process issued to enforce the payment of a judgment which even the astute lawyer debtor could not avoid.

Lenoir v. Weeks, 20 Ga. 596.

Lambeth v. Milton, 2 Robinson (La.) 81.

The law library, fitted with the tools essential to the lawyer's vocation, becomes therefore the lawyer's workshop. It is here that he solves the intricate problems which his more or less extended clientage has presented for his consideration, and prepares to do battle with a similarly equipped opponent. From the time when he first sees visions of courts and juries bending to the force of his matchless logic, he is the habitant of the law library, either in the office of his preceptor, in the college of his choice, or in the institution where he is privileged to read. The books contain the law which he is to practice and apply. His familiarity with them, his ability to absorb their contents and still retain his normal power of mental digestion, bespeaks for him the success which he hopes for and expects.

I am not to speak of the law library that every lawyer must possess. There

are many of these which in size, completeness and efficiency compare favorably with those supported by associated interests or at the expense of the public. The American Association of Law Libraries, an organization recently affiliated with this Association, and which I have the honor to represent at this meeting, is confined in its membership to those who have to do with law libraries maintained and administered for the benefit of the bench, the bar and the school, at the expense of the public or of those who are entitled to the privileges afforded. These law libraries readily group themselves into five classes: (1) the state law library; (2) the court law library; (3) the association law library; (4) the law school library; (5) the law library maintained by private enterprise with privileges leased to lawyers at a fixed rental. Each class has its own purpose to serve, its own special objects to attain; but the character of the books collected does not materially differ. All of them have to do with the law, and the law, in its literature at least, is fixed and determinable.

It may be appropriate at this point to consider in a somewhat elementary manner the material which enters into the make-up of a law library. The law has been classified as *lex scripta* and *lex non scripta*; that which is written and that which is unwritten. This classification is of little value to the law librarian. To him it is all written, printed, and bound in much the same manner. To avoid confusion it is much better to discard this classification and substitute for it the division of law into statute law and court made, or case law. The foundation of every law library is in the statute and the judicial decision. Every law book owes its existence to either the one or the other, or both. Statute law finds expression in codes, compiled statutes and sessional laws; judicial decisions are contained in law reports, and cataloged and classified in law digests; while both are made the subjects of discussion and treatment in so-called law treatises.

In the time of Lord Bacon all English law was contained in sixty volumes of law reports and as many more of statutes; it is said that the industrious Bacon found these too burdensome and suggested to his sovereign, King James the First, that a digest be compiled of all these laws, "and that these books should be purged and revised, whereby they may be reduced to fewer volumes and clearer resolutions." These days he would have been a fitting leader in a movement for reform in our system of law reporting. Nearly 300 years have passed since then; there has been frequent revision, many digests, but very little purging.

Every law librarian will testify as to the almost insurmountable obstacles in the way of acquiring a complete collection of the statute law of the several states and of the United States. Many of the earlier state sessional laws are exceedingly rare and expensive, while the colonial laws of the original thirteen colonies are in many instances practically unobtainable. I have no means of ascertaining the exact number of volumes of American statute law, or how much they would cost. But a fairly complete collection would comprise nearly 3,000 volumes. If a collection of the statute law of Great Britain and its colonies were acquired, at least 1,500 volumes more would be added. These collections are sought for by the larger law libraries, and are deemed indispensable in those maintaining legislative reference departments. In libraries located in cosmopolitan centers, extensive collections of foreign continental statute law are also desirable.

While the legislatures everywhere are excessively busy in enacting innumerable laws, the courts are even busier in explaining what these laws mean, and in declaring what the law is as to subjects in respect to which legislatures have not seen fit to legislate. The written opinions of the federal and state courts are reported, whether officially or unofficially. If the court is an appellate court of

last resort, an official reporter is usually appointed whose duty it is to prepare the opinions of the judges for publication. Special series of reports are published by private enterprise containing selected cases on important subjects, or opinions of judges not officially reported. Law reports comprise the chief collection in every law library. The nucleus of this collection in every American law library is the reports of cases decided in federal and state courts of the United States. In the year 1850 these cases were reported in 980 volumes. In 1865 there were 1,820 of such volumes, an average yearly increase of about 55. In 1880 this number had grown to 3,230, there being an annual increase of 94. In 1895 the number of volumes of these reports had further increased to 6,300, at the annual rate of 205. In the years from 1895 to the present time the annual rate of increase has been 260, so that at the present time there are 9,300 volumes of American law reports. In addition to these reports law libraries are required to collect the reports of the courts of Great Britain and its colonies. The extent of this collection will vary according to the resources available. A complete collection of English, Irish and Scotch law reports comprises about 3,400 volumes, more than half of which were in existence in 1866, since which time the law reports have been regularly published under the authority of the Council of Law reporting, to the discouragement though not exclusion of special series of unofficial reports. A practically complete collection of Canadian law reports consists of about 800 volumes. This collection is desirable for law libraries in the states because of the similar conditions existing in the Canadian provinces. About 1,000 volumes of the law reports of the other British colonies have been published. The total number of law reports in Great Britain and its provinces thus approximates 5,200 volumes, which added to the number of American reports already referred to exceeds the grand total of 14,500 volumes of English written law reports. There may not be a single law library in this country which possesses all these reports; indeed some of them are now of little importance and have ceased to be of value as authorities. There are, however, a few law libraries in this country which have practically complete collections of them; many more have the reports of all the appellate courts of the several states, and the reports of common law courts of England, together with the law reports of the different divisions of the Supreme Court of Judicature. Even these are very numerous, so that it may be said that a law library which seeks practical efficiency must find a place for at least 7,000 volumes of these reports.

Thus does the unwritten law find expression in numberless volumes. The progressive ratio of the annual increase in the published law reports furnishes plenty of food for thought, and presents problems which must ultimately be solved by the courts and the lawyers. But law librarians are not much concerned therein. It is for them to take the books as they are published, and so dispose of them as to make them readily available.

But the effect of this constantly increasing accumulation of law material upon the future of law libraries will prove interesting. It is apparent that it will soon be beyond the means of even the prosperous lawyer to collect for his individual use the reports of all the courts which are recognized as ruling authorities within the jurisdiction in which he practices. Already in our populous centers the owners of buildings occupied by lawyers are supplying their tenants with the use of valuable collections of law books. The increased cost of maintaining large private law libraries, with the expense attendant upon the shelving of the books contained therein, which is no inconsiderable item in cities where the annual rental value of suitable offices is frequently in excess of \$3 a square foot of floor space, will

soon force lawyers to pool their interests and establish in conveniently accessible quarters co-operative law libraries equipped with the most modern working tools of their trade, and manned by experts in the science of finding the law. Existing publicly supported and association law libraries will become more important adjuncts in the lawyer's professional life; and those in charge of them will become more essential elements in the administration of the law. The day of the law librarian as a mere keeper of law books is now past. Knack of arrangement and classification with knowledge of the art of book binding are not now sufficient to constitute a competent law librarian. He must be a capable guide to the user of his library; a well trained expert in the learned science of how to find the law.

The lawyer of today is a case lawyer; he knows his facts and seeks to apply thereto the law as declared by some court of competent jurisdiction. In this immense maze of reported judicial determinations he may well think there is a case with facts like his which, if found, will be conclusive upon the tribunal which he seeks to convince. He starts on his hunt, and the law librarian must aid him in his search. In making the search every available law tool is brought into use. Text books, digests, cyclopedias, and tables of cited cases are to be consulted. These are for the most part the means to the end that the much sought for case may be found.

Law text books or treatises, as now written, are expositions of the law as found in statutes and reported cases. The modern law writer does not often state his individual opinion as to what the law is or should be, and if he should, the lawyer who read would be inquisitive as to the authority upon which the statement was based. Kent, Story, and Greenleaf are frequently cited as authorities equally as weighty as reported opinions of eminent judges; but they wrote after long service in judicial positions, at a time when reported cases were comparatively few. They declared the law as adjudicated and as they thought it should be, and did it so well that courts have often based their opinions upon what they said, thus giving their statements the mark of judicial approval. There are a few others who might be mentioned in the same class. But few of our modern law treatises are written with a view of declaring the law independent of statutory or judicial authority. Their only purpose is to point the way to the statute or decision with a bearing upon the chosen subject. They are therefore in their effect nothing else than specialized digests, more or less carefully analyzed, of the decided cases, and are only cited to show what has been declared to be the law by court or legislature. It is not intended to belittle their importance or value. They are substantial aids in tracing the cases which establish the principle desired to be asserted or applied. They must be wisely selected with a view of promoting the interests which the law library is designed to serve.

The million and a half or more cases reported in the 15,000 volumes of law reports would be of comparatively little value were it not for the commendable industry of law editors in digesting those cases and classifying them under more or less arbitrary headings, alphabetically arranged. These digests are the law librarian's subject catalog of reported law cases, prepared fortunately for his use outside of the library by his enterprising friend, the law publisher. The increase in the number of cases has relatively increased the size of the digests. A digest of all the reported cases decided in state and federal courts down to and including the year 1896 is contained in 50 large royal octavo volumes of at least 1,500 pages each; 18 volumes of supplements to this edition have been issued covering the years from 1897 to 1906 inclusive. This is a comprehensive publication covering the whole field of American law reports; in addition to this, each state has its own

digests of law cases, and every series of reports containing especially collected cases is supplemented at intervals by digests.

The cyclopedic treatment of law is a comparatively new development in the realm of legal literature. This is an exceedingly ambitious effort to classify the whole body of the law under appropriate heads, arranged alphabetically. The several subjects considered are more or less carefully analyzed with the co-relative principles grouped and stated concisely without editorial elaboration; the notes cite the cases upon which the statements of the text are based. The result produced is a legal work occupying the field between that of the text book and that of the digest. Such a work, if accurately done, if at once full, precise and correct, will be of the greatest value. While not in any sense superseding special treatises upon different branches of the law, or digests of law reports, it will, by facilitating, save labor. As stated aptly by the late James C. Carter of the New York City bar, in describing the possibilities of such an undertaking:

"It would refresh the failing memory, reproduce in the mind its forgotten acquisitions, exhibit the body of the law so as to enable a view to be had of the whole, and of the relations of the several parts, and tend to establish and make familiar a uniform nomenclature."

Statutes, reports, digests, text books, and cyclopedias are the books which comprise the law library; how best to make them available and to promote such a use of them that the purposes for which they were created may be attained, is properly the law librarian's object in official life. The law library is almost in every sense a reference library. The use demands that the books be placed in open shelves, so that they may be accessible to all. Scientific classification, decimally or otherwise, is peculiarly inappropriate, because unnecessary and confusing. Law reports are published serially, each volume with a number; they are arranged on the shelves alphabetically, according to the state or country in which the courts are situated. Every text book professes on its label to be somebody's treatise on some important subject, thus inviting classification and citation by the name of the author, rather than the subject. A great English lawyer wrote learnedly on the law of bills and notes, so that Byles on Bills is a familiar title in the bibliography of every law library, and needs no mystic number to bring it from the shelves. It may thus be seen that arrangement and classification of law books are not complex. The lawyers have troubles enough in finding what they want without adding to their burdens by compelling them to master the intricacies of an ingeniously devised system of classification.

There are law libraries whose chief aim is to make complete collections of law literature without regard to practical use or adaptability. These have exhaustless resources at their command and are rapidly becoming the museums of rare and obsolete law books. It is indeed fortunate that such institutions exist; their value as educational factors must not be underestimated. But the working law librarian in charge of a library founded on a basis of utility and maintained to aid the court, the lawyer, the legislature, or the student, has not the time nor the means to indulge his longing to collect. He must get what his library needs to carry out the purposes for which it was organized. He must be familiar with the books upon his shelves, and know their uses, so that he may direct the search for the well hidden legal principles. He should be in touch with the trend of judicial and legislative thought. He may or he may not be a lawyer, but, like the lawyer, he should know where to find the law. This is the science of the law librarian; if he is not expert in it, he is like the mountain guide who seeks to lead where he has not climbed.

CLASSIFICATION OF LAW TEXTBOOKS.

I. BY AUTHORS.

I. W. J. C. Berry, Librarian, Mutual Life Insurance Co. Library, New York City.

The principles on which law libraries are classified and cataloged are quite different in most important particulars from those upon which public libraries are administered. The ordinary law library is a busy workshop, and law books are regarded as working tools to be kept in constant use. Hence it follows that law books should be arranged on the shelves and cataloged as will best suit and be most convenient for the busy lawyer or law student.

After an experience of more than thirty years in a busy law library, open from 8 o'clock in the morning until 12 o'clock midnight, 365 days in the year, the writer has become convinced that text books and treatises should be arranged on the shelves alphabetically by authors, and not by subjects. It will readily be seen that the most serious difficulty to be met with in the shelf classification of law books is to properly place books containing two or more subjects, as, for example, Brice on *Ultra Vires*, which should be placed under Corporation Law, as also under *Ultra Vires*. Or, take the following extreme cases: (1) Spelling on Injunctions and Other Extraordinary Remedies. It would be necessary to place this under Injunctions, Extraordinary Remedies, Habeas Corpus, Mandamus, Prohibition, Quo Warranto, and Certiorari. (2) Schouler on Domestic Relations, which includes Husband and Wife, Parent and Child, Guardian and Ward, Infancy, and Master and Servant.

The writer has also found another serious objection to this arrangement to be the difficulty and labor of educating the attendants up to the proper working of the classification system on the shelves. This would become especially burdensome in a library where the boys are constantly changing, as they are in most of the large law libraries.

Again: Where the library is equipped with a full and complete subject index of titles, and unlimited cross references in the catalog, such an arrangement on the shelves would seem to be entirely unnecessary.

In arranging the books alphabetically by authors on the shelves, the word "author" should be construed strictly, to-wit: Green's Brice on *Ultra Vires*, to be placed under Brice, Chitty's Blackstone to be placed under Blackstone, and these again to be arranged alphabetically, viz.: Blackstone by Chitty, Cooley, Sharswood, Tucker, Wendell, etc.

The arrangement of the American reports on the shelves should be alphabetically by states. If the library is used by students, such as a law school library, the reports of each state should be arranged alphabetically by the reporters' names. If, however, the library is used mainly by lawyers, then the reports of each state should be arranged chronologically.

In each instance the reports of a state should be followed by the digests of said reports, the last revision or compilation of statutes, and all session laws subsequent to that revision; also by all codes and works of a purely local nature relating to that state where no author's name appears on the book.

Thus brought together, this arrangement enables a lawyer or student to consult the whole body of the law of any one state with little or no difficulty, as

would not be the case if the reports, digests and statutes were each arranged on the shelves by themselves in different parts of the library. All the session laws prior to the last compilation or revision of statutes, and all old editions of statutes may be shelved in the stack rooms. The reports of the Federal courts should precede the state reports, the Supreme Court to be arranged chronologically and the various Circuit, District and other reports to be thrown together and arranged alphabetically by the reporters' names. The Federal digests, statutes, etc., should follow in order after said reports. All American digests of a general nature, such for instance as the Century Digest, and all encyclopedias of law should be placed after the Federal books. All British and other foreign reports should be arranged on the shelves alphabetically by the reporters' names, to be followed by their respective digests, statutes, etc.

The main index should be by authors, this word to be used in a liberal sense, and the various reports and other publications to be grouped according to the usual methods as well as by the name of the reporters or authors.

There should also be a very full subject index of titles, under each of which various works should be arranged alphabetically with date and place of publication, thus enabling one to readily ascertain the latest American or foreign work on any subject.

The statute law should be arranged in tabular form, setting forth in minute detail the various annual, biennial, called and special sessions, thus enabling one to see at a glance what constitutes a complete set. The value of this must be apparent to every one who has ever had occasion to consult the state or territorial laws.

In every instance where reports or legal periodicals have died in infancy, or publication has ceased, leaving an incomplete volume, a note should be made of that fact, giving the numbers and pages as far as issued.

2. L. E. Hewitt, Librarian, Philadelphia Bar Association, Philadelphia, Pa.

It is long since lawyers began the scientific classification of law, first crudely, then more fully, as in Blackstone's Commentaries. The system of pleading, in the old days, trained their minds to the acutest forms of classification of principles, and it would be a marvelous thing were these experts in classification forgetful of their principles when placing the books upon their library shelves. As a matter of fact, they have not been forgetful. Many boards and many law librarians have given the subject thought, only to reject the physical grouping of text books by classes as impracticable. They could hardly avoid the subject, even should they fail to remember their legal training. Members of the bar frequent the general libraries. Many of them are upon the boards of those libraries. They have been familiar from the first with the classification principle for the shelves in the general libraries.

If then the lawyers adopted the alphabetical arrangement of the text books upon the shelves at a time when they were even so over-trained in their classification that the legislature had to intervene to modify their rules of pleading; if again they rejected the idea of grouping their books on the shelves by subject, when they saw the general libraries adopting the group system, there must have existed some restraining reasons controlling them. These were:

1. The delivery of the books at many of the law libraries would be retarded by the group system. A plan of classification, if adopted, would either be so

broad and comprehensive as to lose the advantage of the system; or it would be in such detail as to be difficult to carry in mind. Library attendants are constantly changing. For many of the calls they would need to consult the catalog. A man might call for a book giving both author's name and subject, and yet it could not be obtained for him until the catalog had been consulted to see where, in the discretion of the librarian, the books had been placed. Multiply the one call by twenty, forty, or a hundred, in a library in a large city during some busy hour! Here we have a serious objection to the plan suggested. Under the alphabetical arrangement the location is known at once, without a preliminary examination of Lists.

2. It is impossible, as a matter of fact, to group together the books upon a subject. Law text books overlap; nor do lawyers examine all the books of one class. They take generally the last one or two good treatises. If these do not satisfy, the next recourse is to the most recent good book of another class. Suppose a man to look up the law of Good Will. Under the group system, the librarian would have a section, perhaps, on that subject, and what would be there? One book, and a good one, too, by Allan; but it is an English book. The attorney must then seek additional light elsewhere. He turns to Equity. Perhaps he finds what he needs in a book on that subject. Perhaps he turns to Stewart's American and English decisions in Equity, and finds there an able treatment from the standpoint of Equity. He does not find it, however, through the group system, but through the catalog, or else through his trained perception and knowledge as a lawyer. Or he turns to a leading book on Partnerships, Injunctions, Trade Marks, Contracts, or to some work on Damages. What good has the group system done him? None whatever. Suppose the subject-matter is a building contract. The librarian places a dozen books together, some American, some English, and calls this collection his section on Building Law. It comprises, however, only some of the books treating that subject. He may find what he needs in some other section. In books on Municipal Corporations he will find able and exhaustive treatments; and so in some books upon Railroad Companies. In the "Federal Reporter Digest" he will find collected the decisions of the Federal courts, under the title, United States. What good has the group system done him? He has not found these treatments through it, but by means of the catalog, or through his own perceptions. The illustrations are suggestions. The thought can be extended throughout the catalog. No one class of treatises contains all the studies of a question within that class. In books falling within other classifications, the same question is found treated. If a librarian makes a classification on the shelves, it must then be an imperfect one, and herein is a danger in that it may be thought to be complete. Under the author arrangement, recourse to the catalog is necessary only where the attorney does not know the books. Under the group system, such recourse is almost indispensable. Moreover, there is sure to be confusion under the subject arrangement, and this for two reasons. There are books which cover several subjects. We have Williams on Executors; but this includes Wills. We have Wood on Mandamus; but this includes Quo Warranto. So there are Pingrey on Extraordinary Industrial and Interstate Contracts; Spelling on Extraordinary Remedies, inclusive of several subjects. These are mentioned, not as all the books of this character, but only by way of illustration. There are many books which might be entitled by either of two or more subject-titles. To mention books on Infancy—respecting this, several titles spring to mind: Infancy, Guardian and Ward, Parent and Child, Domestic Relations. No two librarians would agree on the classification;

nor would the lawyers recognize a librarian's system as the appropriate one. This would work great confusion in those libraries where open shelves prevail. The classification exists in the catalog. This is the central point, governing the library. The spirit of the day is simplicity and the avoidance of complicated machinery.

II. BY SUBJECTS.

1. Dr. G. E. Wire, Librarian, Worcester County Law Library, Worcester, Mass.

All other library interests have been allied for years—circulating, college, historical, medical, reference, scientific, society, theological. Law is the last one to come in, and we all know only too well how conservative is law. It is fully as much so as theology, in fact is more behind than in front of existing public opinions.

The advantages of mutual aid and co-operation in all problems of library work, binding, building, buying, cataloguing, classification, management, organization, reference work, have been patent to all other forms and classes of libraries for years. Law libraries have been the last to come into the organized library field and the leading law libraries of the country are here represented for purposes of mutual helpfulness.

At this our first formal meeting this subject has been one of two listed for discussion. I take it, of course, it is all *pro forma*, for you must all beware of the benefits of subject classification for law libraries, as classification by subjects is a foregone conclusion, and a necessity in all American libraries. Whether it can always be applied is another question. What is good for one library in one locality under one set of conditions may not be good for another library in another locality under another set of conditions. But conditions may be changed, and are frequently, if a proper amount of brains and time are brought to bear upon the problem. A librarian must have knowledge of classification in order to apply it successfully. It goes without saying that in such a technical subject as that of law the librarian should have *both* law and library training in order to fully appreciate the problems presented to him and to deal with them successfully and in a modern manner. The advantages of a subject classification of law may be put under six different heads as follows:

1. *It brings and keeps together all works of one subject.* In other words the books are not "all over the shop." It does not entirely take the place of a catalogue if you have any, or of cross references if you have those. Generally a reader wants the latest references on a given subject, and these are as usually found in the latest text book on that subject. A collection of these latest text books, in order of classification, may be close at hand ready for ready reference. This collection may vary according to the size of your library from 100 to 1,000 volumes. Classification by subject gives you at once a start on a given subject, and puts your hand on the latest book on that topic, and frequently this answers the inquiry.

2. *It keeps together in order the various editions of one author*, like Greenleaf on Evidence. These older text books are valuable as showing the growth of jurisprudence. Many times the notes in earlier editions are more valuable than the text. We have references constantly to a particular edition, and find our stock of old text books increasing in value for reference.

3. *It answers almost mechanically 95 per cent of the text book inquiries* in an ordinary law library. Daily and hourly we are asked: "What is your latest book on Carriers, Insurance, Equity, Bankruptcy, Receivers, Waters, Neg-

ligence? What have you on Automobiles, Elevators, Clubs, Ink, Annuities, Theater Tickets, Torrens Law?" You do not have to depend on your memory, look in any catalogue, or trouble any one; the books are there, all ready to your hand. Just pick up an armful and carry them over to your reader, and see him smile. You do not have to search the shelves, depending on chance, or good eyesight, or good memory to find them. Nor do you have to depend on any catalogue of any kind. It is an artificial memory which never gets tired nor takes a vacation, and which does not die. Of course you are still better off with a good plain card catalogue, and the combination is irresistible.

4. *It does away with the trade union idea* (which of course none of us have) of keeping all knowledge of the books to ourselves, for fear someone else will know something or anything about or of our library. Much as we hate to confess it, that is the predominant idea with some law librarians (seen by absence of any catalogue or classification), to conceal their own ignorance and make readers so far as possible dependent on them—as they say, "to render themselves indispensable." As you well and truly know this commercial idea is still prevalent in some sections of our country. We are in the library to help every one; we have no object in view, and no other work to do, and should be and no doubt are, glad of any and all helps to this end.

5. *It puts law in line, and abreast of modern library practice.* The classification which I make up at W. C. C. L. L. 1898-1900, printed as part of K in No. 7 of Cutter's Expansive Classification, is the fullest I have yet seen of what it professes to be, English and American Law. It is used for text books and cases, not for reports, statutes, or digests. These latter classify themselves. Nor does it attempt to classify Chinese, Hindu, Japanese, or German law; they can take care of themselves. The allied subjects, banking, commerce, economics, education, legislation, politics, political economy, and sociology, are all taken care of in other parts of the classification, other than law pure and simple. But what it proposes to do it does well. Of course it cannot take up, only in a supplement, any subjects coming up after it is printed; no classification can be prophetic. There are a number of things it cannot do, nor does it profess to do, but it does place in the hands of both those learned in the law and those unlearned, knowledge of subjects which cannot be found elsewhere in such compact form. In making it some 250 volumes of text books were consulted, and it was made as perfect as possible up to the time of printing. It is not a classification of law, not a digest scheme, but a *classification of and for text books*.

6. *This classification has to be used with brains.* The head notes, although designed for persons unlearned in the law may be useful to some librarians. Take Negligence, for instance. There are eight places provided for it in the scheme; we use but two—Contributory Negligence under Carriers, and put the bulk of our Negligence books under Municipal Law. But the catalogue brings out the various shadings of this topic as it does of Bonds, Contracts, Corporations, Evidence, Exceptions, Forms, Jurisdiction, Limitations, Pleading, Practice, Taxation, Uses, and other topics. These should all be brought out in your card catalogue; that is the place for them, as before stated. No classification will take the place of a catalogue, and conversely no catalogue will take the place of a classification. Don't try to combine yourself into everything in your library. You may be sick or resign or finally die, occasionally you may have a vacation, and you should have your library so it can be carried on by someone *else*, as well if not better than you can do it yourself.

Worcester County Law Library, Worcester, Mass.

2. A. J. Small, Law Librarian, Iowa State Library, Des Moines Iowa.

I appreciate the able paper by Mr. Berry, and the splendid argument of Mr. Hewitt in his effort to convince you that the classification of law books should be by author arrangement, and that no other way is practical. Of course, in treating this question one must take into account some of the environments of the library. If you have closed shelves, and the policy of "cheap help" and "touch not," this condition will serve in some measure to mitigate the "sin" of author arrangement of text books upon the shelves.

In the argument of Mr. Hewitt we find some points with which we can in some measure agree; but more with which we disagree. We dissent from some of the opinions advanced, but must concede honesty of purpose and thought and realize that library methods should be adapted to the library in which they are used, and we can profit from the passages from which we dissent. We all agree as to the relativity of library methods and that which corresponds to the peculiarities and real needs of the library, and that we have questions in common which will in a more or less degree apply whether in a large or small library. Hence the existence of our association and the bond of fellowship which is much in evidence.

We are unwilling to presume to solve, in any great degree, this question, but are not satisfied to content ourselves with the existing conditions. Traditions and customs have a strong hold, and we are prone to follow precedents of earlier ages with regard to classification and other matters.

The author arrangement of text books has existed from time immemorial. Not only have law books been thus arranged, but the general works as well. Less than a quarter of a century ago the general libraries were very much exercised as to a scheme of some sort of systematic arrangement that would relieve the congestion of myriads of volumes. From a crude beginning a system has been developed that may be considered well nigh scientific. We stand today where stood the general library of a quarter of a century ago, grasping for new thought, and for some rational scheme for the law libraries. It may seem invidious to find fault with a type that I do not consider the best for the law library, although it has many good points. But, as progress must be made as conditions arise, the law libraries must meet new conditions, and the question of classification is one of the uppermost, or else we permit ourselves to plod in a mass and in confusion.

The subject arrangement is practical. It has proven itself in all other branches of library world, and not only practical but logical, convenient and systematic. It is a self-guide, and from years of experience has demonstrated its success as a time saver and convenience to the librarian and busy lawyer. The whole arrangement is eminently satisfactory, and commends itself. We have very little difficulty in arranging text books either English or American under subject headings and find it to be of material advantage to the reader.

Orderly arrangement of books and material is necessary to the true advancement of knowledge. It is the thread which leads the explorer naturally and systematically to his subject matter. This fact is strongly emphasized by Dr. Wire in his able paper, and which I am defending.

As regards the overlapping in the subject matter of text books, this will not be denied, and it is also true of the general library. A very striking example of this is given in an article by Mr. Kephart in the Library Journal in 1893, when the general libraries were considering this very problem. He says: "But it is objected to that no logical classification of books is possible, owing to these facts:

"1. The same book may treat successively of many different things. That is to say, it may be of composite structure, or even a conglomerate.

"2. A book may discuss a problem involving entirely diverse principles and branches of knowledge. Consequently our classes will necessarily overlap, and the boundary line between them will be shadowy." (See volume 18:241.)

The Dewey, Cutter, or any other system is not now condemned for it. It must be remembered that any text-book you may mention is written upon some specific subject, but may incidentally be elaborated by kindred subjects which any one with a knowledge of law or law books will naturally know.

On the subject of Domestic Relations, of which Mr. Hewitt speaks; it is but reasonable to suppose that it will cover "Husband and Wife," "Parent and Child," "Guardian and Ward," etc. Nothing else can possibly be treated under the subject. Where is the advantage in "author" arrangement? In other instances the same rule will follow. When you bring in the exceptions there is no end, and only by card indexes or some other guide can you locate them. For instance: We have much of the best material in our law periodicals, and bar association proceedings, and in fact you find excellent treatises in the miscellaneous periodicals. In making reference to the works on Evidence, why chase from A to Z? Much better group them and it would not even be necessary to refer to your index or card catalog in ordinary cases. But when you do not find in the general works the subject sought, you are just as likely to find it in a bar association proceedings, law periodical or some semi-legal publication which must be drawn out by card indexes, and your author scheme gives no relief. If subject arrangement is practical for the general and scientific works, why is it not practical for the law? In all statutes, digests and text books we find the law systematically and scientifically arranged under subjects. You may as well place the American and English Encyclopedia under "Cockroft" or Cyc. under "Mack" as to place Cooley, Constitutional Law, Limitations, Torts and Taxation side by side.

And again, I would call your attention to a confusion with which I am not able to reconcile. What will you do with editions by various authors, and make them intelligible to the unskilled librarian or to the public? It frequently happens that the identity of the original author appears secondary to the new author making a revision. For instance: "Pollock" on Contracts, annotated and enlarged by "Wald," and now Mr. Williston makes a claim for a third edition and his name appears on the back along with "Pollock" and "Wald." What will you do with "Montesquieu's" Spirit of the Laws, by "De Secondat," translated by "Nugent," and with "D'Alembert" on the title page and upon the back labeling? It frequently happens that the identity of the author is not mentioned (especially in earlier editions), or a pseudonym is given. What will you do with the government publications such as Military Laws, Pension Laws, Pure Food Laws, where they are separately treated? Certainly Winthrop is not the author of Military Laws, nor is Abbott the author of Patent Laws of All Nations, nor is Mr. Bryan the author of Treaties in Force, and yet, as I understand it, the term "author," "compiler," and "editor" are synonymous so far as the arrangement is concerned. Why put Bouvier's Law Dictionary in one place in the alphabet, and Tomlins' in another? I cannot conceive that this would be done, and if you group the dictionaries, encyclopedias, etc., you admit classification by subjects is good and has merit.

The classification is a most important subject and deserves careful consideration. It is of more importance for the coming law library than may at first appear. Law literature has grown and is growing at a rapid rate; text books

which covered a multitude of subjects a few years ago now cover but one and possibly a few kindred subjects. It is time we wake up to this issue and admit there is a possibility for improvement in the classification of text-books, and a scheme that will be self-operating to some extent and would be of great convenience and a shorter cut to a practical use of the law library.

REPORTS OF COMMITTEES.

REPORT OF THE SECRETARY-TREASURER.

Franklin O. Poole, Librarian, Association of the Bar, New York City.

The Association began its existence on July 2, 1906, with a charter membership of 24, all of whom were regular members. There is now a membership of 77, of whom 61 are regular members, 15 associate members, and 1 honorary member. There has been one death during the past year—namely: Alfred J.

Of the 78 members who under the constitution were required to pay dues, 73 have paid.

The receipts and expenditures have been as follows:

RECEIPTS.

Dues of 73 members for the year beginning July 2, 1906.....	\$146.00
For exchange on out of town checks30
	<hr/>
	\$146.30

EXPENDITURES.

For postage	\$27.50	
For blank books	1.50	
For printing	77.75	
For expressage	1.40	
For exchange on out of town checks.....	.80	
For telegrams	2.10	111.05
	<hr/>	<hr/>
Balance		35.25
		<hr/>
		\$146.30

On motion the report of the Secretary-Treasurer was approved.

REPORT OF THE COMMITTEE ON EXCHANGE OF LEGAL PUBLICATIONS.

Such a new feature as a clearing house of duplicates as are contained in the various law libraries of the country presents a most perplexing problem. The Library of Congress with its "want" and "duplicate" lists hardly touches the spot for multifariousness and the lack of precision, so far as the Bar libraries, or Law libraries, are concerned. The Committee has in view the general welfare of all the law libraries. It is difficult to conceive of a plan whereby all may be equally benefited and none particularly. It must be conceded that every library has some odd or duplicate volumes which it desires to dispose of, or which are

desired by another without inconveniencing the possessor. But the Committee wishes only to equitably dispose of, or disperse, such volumes.

One way would be to recommend an exchange cover for cover, another at an appraised value, and another by gift. But the means by which this exchange is possible of consummation is to devise a plan Solomonly wise, or at least to be considered so. One way would be to sell off to some willing book dealer one's duplicate volumes and let him in turn expose for sale the accumulations at a fair profit for the trouble incident thereto. Another way would be the cumbersome and awkward and laborious method of correspondence—often unsatisfactory, because of the pressure of other business, neglect, or sundry other excuses. Another and not the least, but presumably the most patent and commendable one, which your Committee recommends to this Association, is the inducement of some law periodical of well established standing, with a wide circulation, which is disinterested in any law library, or law school, such, for instance, as the "American Law Review," to install a department especially beneficial to the members of this Association. With competition running high in the management of legal periodicals, we should consider ourselves fortunate, indeed, to find the time so opportune and such ready means available. If it would be to our benefit to have such a department installed, would not a benefit inure also to the management of the periodical—would it not implant itself more firmly with its subscribers? By having a disinterested party print our lists of wants and duplicates a two-fold purpose will be accomplished, the monetary consideration will be lightened, and secondly, and most important of all, all concerned will be treated fairly and share alike. Such we think to be to the best interests of this Association. There being neither envy nor discord in our Association, we deem it best not to sow the seeds thereof for a harvest.

The Committee has been ready, and will ever be willing to receive suggestions as to plans or means whereby the objects sought may be realized. It is material to know that all the vocations of life have organized, or are organizing, and are attempting to solve the difficulties which beset their several branches. We find some consolation in the fact that a sister organization, which has made some inroads on the legal profession by way of giving guidance and advice to the clientele in investments—namely: the Bankers' Association, still finds it necessary and profitable to hold annual meetings and discuss methods of exchange, and the perfection of methods of exchange. In perfecting plans and methods your Committee recommends to the Association, and to its successors, that the Bankers' Association and similar organizations be consulted and studied, believing that you will be well rewarded for your pains.

One item is still undisposed of, and that pertains to the dissemination of information of "other legal publications." As to just how every library can possess a copy of something locally printed, and many times gratuitously, your Committee does not perceive, except through the department heretofore mentioned, of some law periodical, or through reprinting by this Association when found to be generally in demand. Your Committee believes much legal literature is locked up in one manner or another, temporarily or limitedly published for reasons known only locally, which should be more widely known. But whether or not an essay or treatise is deserving of publication, or has been unjustifiably subjected to the editor's blue pencil, your Committee is at a loss to devise any means of sitting in judgment; except to make a suggestion that a vote of a committee be taken, or the several members of this Association be sounded in the same way and manner as the "A. L. A. Catalogue" of 1904 was compiled.

Which method leads us up to the great and important subject of what constitutes an ideal law library, which the Bar, in general, is desirous of knowing.

Your Committee hopes that what little is herein contained of suggestion will be amplified and serve to lay a foundation for a greater work to be performed.

A. H. METTEE,
E. W. EMERY,
C. H. GOULD,
Committee.

On motion the report of the Committee was approved.

REPORT OF COMMITTEE ON INDEXING LEGAL PERIODICALS.

AVAILABLE PUBLISHED INDICES OF LEGAL PERIODICAL LITERATURE.

Various methods have been devised to rescue from oblivion the monographs which have appeared in legal periodical literature.

In 1882, Mr. Stephen B. Griswold, Law Librarian of the New York State Library, added references to periodicals to the well-prepared subject-index of law books. Let me quote from the preface: "References to leading articles contained in 725 volumes of American, English, Irish, Scotch, and Canadian law periodicals have been noted "under their respective subjects." In the supplementary volume which appeared in 1893, 477 additional volumes of periodicals were indexed. In the second supplementary volume which appeared in 1903, 550 volumes of periodicals were indexed, including some hundred colonial periodicals.

In 1888 Judge Leonard A. Jones prepared and published an index to periodical literature. For its scope, let me quote from his preface: "This volume includes articles, papers (etc.), in legal journals of America, England, Scotland, Ireland and the English colonies, and to such articles in the principal literary reviews . . . of these countries as seemed to belong properly to legal literature; also references to the papers and proceedings of the American Bar Associations, and of the various state bar associations, and to such of the papers and transactions of the English and American social science associations, and Statistical Society, as come within the scope of this Index. Moreover all the reports of the American courts have been examined in order to make references to the proceedings in court and eulogies upon the occasion of the decease of eminent judges and lawyers. One hundred and fifty-eight different law journals . . . have been indexed, and articles relating to . . . law and legislation . . . in 113 . . . literary magazines and reviews. The number of volumes of law periodicals indexed is 1,373 . . . and 4,400 volumes of literary and historical periodicals."

In 1899 Judge Jones prepared and published a supplementary volume. The preface says in regard to its scope: "In one respect, however, this volume differs, not in plan, but in result, from the former; and that is it contains many more references to articles relating to legal science in general. . . . The present index is therefore somewhat wider than that of the first volume. It includes articles upon law, legislation, political science, economics, sociology and legal biography in all journals in the English language published since the beginning of the year 1887 down to the beginning of the present year."

In 1895 the Law Library Association of St. Louis published an author catalog, and in the subject-index added references to about 40 different American law journals.

In 1904 the Wisconsin state library issued a subject index of volumes in their

library, and added references to periodicals. Let me quote from the preface by Mr. Berryman, State Librarian: "Besides collecting all the treatises, digests, leading cases and reports, treating of a particular branch of the law under their proper heads, an effort has been made to indicate the leading articles and principal notes to important cases in the periodicals which the library contains and which were published between the beginning of the year 1887 and November 10, 1904." The index of this library covers in the vicinity of 105 different law periodicals.

Several of the leading law journals devote space to indexing and reviewing the leading articles and notes which appear in the contemporary periodicals for the previous month, but the indexing is inadequate and no attempt is made to index the articles under uniform subject heads.

By referring to the bibliographical works which index periodicals it will be noted that they index only periodicals in the English language. It is true that articles on English and American jurisprudence seldom appear in foreign periodicals, but our growing commercial relations require that lawyers, legal writers, political scientists and economists be familiar with the continental laws, their interpretation and application, also the interpretation of foreign writers of the principles of private and public international law.

LIBRARIES SUPPLEMENTING THE AVAILABLE PUBLISHED INDICES.—It may be well to consider at this point what individual libraries are doing to supplement the printed bibliographical references to legal periodical literature.

The Harvard law library indexes the periodicals regularly, and the editorial force of the *Harvard Law Review* selects the leading articles and comments upon them in that publication.

The New York State Law Library has a card index of current articles in the periodicals taken by the library.

The Wisconsin State Library is keeping a card index of about 40 periodicals since the publication of their subject-index in 1904.

The Iowa State Law Library, the Chicago Law Institute, and the University of Chicago Law Library are also keeping a card index, the latter library having an index from November, 1904, and which supplements the Wisconsin State Library index.

RECOMMENDATION THAT THE ASSOCIATION COMPILE AND PUBLISH A SUPPLEMENTARY VOLUME TO JONES' INDEX.—To formulate some uniform plan for the indexing of articles in current legal periodical literature, and to report on some form of publication was the duty of your Committee.

At a meeting of your Committee at Narragansett Pier, it was agreed that a supplementary volume of Jones' "Index to Legal Periodicals" should be arranged for. The Chairman of your Committee corresponded with the compiler and publisher of this publication, and was informed that the sale of the original work and supplementary volumes did not warrant the publication of a second supplementary volume. Your Committee was further advised that the American Law Book Company contemplated the publication of a second supplementary volume. Their reply to a letter was to the effect that they did not care to publish a supplementary volume at this time.

Finding that the compilation of a supplementary volume would not be undertaken by a publishing house, inasmuch as the sale would not provide remuneration for both the compiler and publisher, your Committee decided that the following plan should be adopted, and which they recommend:

That the American Association of Law Libraries undertake the compiling

and publication of a supplementary volume of Jones' Index, to include articles, etc., in American, English and foreign periodicals to January 1, 1908.

That the compiling of this supplementary volume be undertaken co-operatively by members of this Association, each member assuming the responsibility for indexing certain periodicals under the direction of a committee of three, to which all of the entries are to be sent for compilation and revision; that the volume contain: (1) An alphabetical arrangement by authors of all the signed articles or articles in which the author's name may be ascertained; (2) all articles, notes, editorials and book reviews arranged according to subjects, the classification of these subjects to follow the American digest classification. This division into author and subject seems to your Committee to be superior to the dictionary form, inasmuch as it emphasizes the subject index, and the scheme of classification is one which has become known to members of the legal profession, and one which has been used in the preparation of the American digest, a number of state digests, and indices to legal treatises.

To compile this index will take some time, and your Committee further recommends that after the entries have been revised by the Committee, that they be mimeographed on standard size cards and sold to libraries who desire them at the cost of reproducing. When the compilation is completed, a volume to be published under the auspices of this Association, provided enough advance subscriptions can be secured to warrant the outlay.

RECOMMENDATION TO ESTABLISH A QUARTERLY JOURNAL, TO CONTAIN A QUARTERLY INDEX TO LEGAL PERIODICALS. In the recommendation for the compiling and publishing a supplementary volume, you will note that the volume planned contains an index to articles, etc., to January 1, 1908. Your Committee, after investigation, further recommends that the Association undertake the publication of a quarterly journal, to be published on the first of January, April, July and October, to contain one article of interest to law librarians, reviews and notices of new legal publications, wants and exchange lists, and a quarterly index to current legal periodical literature, cumulating at the end of each year, and at the end of five years cumulating the yearly volumes; the funds for publishing this quarterly to be secured from advertisements and subscriptions, the subscription price to members \$3 per year, and to non-members \$4, provided that not less than 200 subscribers are secured. When the subscription list reaches 350 the price to be \$2 to members and \$3 to non-members.

To your Committee it appears that the advantage of publishing a quarterly is four-fold: (1) It establishes a medium whereby members of the Association can discuss subjects of interest; provides (2) a clearing house for duplicates and legal bibliographical information; (3) a quarterly index to legal periodicals; and (4) through the publication of this index, means whereby suggestions may be secured which will aid in bringing the supplementary volume of Jones' Index to a higher standard.

Your Committee has conferred with librarians, lawyers, legal writers, students, political scientists, economists and publishers, and all agree that there is a demand for a quarterly publication of this kind.

F. W. SCHENK,
F. B. GILBERT,
G. G. GLAISIER,
Committee.

On motion, the report was approved, consideration of the details to be taken up at a later session.

REPORTS OF THE COMMITTEE ON THE CONSTITUTION.

Report Made at the First Session.

The Committee recommended that sections 11 and 13 of the Constitution be amended to read as follows:

"Section 11. Vacancies through non-acceptance, resignation or death shall be filled by the Executive Committee.

"Section 13. An annual meeting of the Association shall be held at the same time and place as the annual meeting of the American Library Association, unless there are special reasons for holding it elsewhere; and in that event, the call for the meeting shall be issued in the same manner as provided in section 14 for special meetings."

On motion, sections 11 and 13 were repealed, and the sections as reported and recommended by the Committee were adopted. Further, the Committee was continued, and requested to report at a subsequent session on certain proposed modifications of section 16.

Report Made at the Fourth Session.

The Committee on the Constitution recommended that section 16 be amended to read as follows:

"This Constitution may be amended in the manner herein provided. Notice of any amendment shall be filed with the Secretary-Treasurer at least sixty days before a regular meeting of the Association, and notice thereof shall be sent by the Secretary-Treasurer to the members of the Association at least thirty days prior to said meeting. Such amendments shall be submitted at an annual meeting of the Association, and any member not present thereat may file his vote thereon with the Secretary-Treasurer, and the same shall be counted as though he were present and voting. If three-quarters of the votes of the members present and voting at such meeting, and of the votes filed as above provided, be in favor of such amendment, it shall stand adopted."

On motion, section 16 of the Constitution was repealed, and the section as recommended by the committee was adopted.

REPORT OF PROCEEDINGS.

By the Secretary.

FIRST SESSION.

The first session, May 24, 1907, at 8:30 p. m., at the Battery Park Hotel, was called to order by President A. J. Small, with twenty-seven members present.

An address of welcome was made by Hon. Miles O. Sherrill, State Librarian of North Carolina.

Response by the Vice-President, Andrew H. Mettee.

The minutes of the preceding conference were read and approved.

Address of the President, A. J. Small.

Report of the Secretary-Treasurer, Franklin O. Poole. On motion the report of the Secretary-Treasurer was approved.

Report of the Committee on the Exchange of Legal Publications, A. H. Mettee, Chairman. On motion the report of the Committee was approved.

Report of the Committee on Indexing Legal Periodicals, F. W. Schenk, Chairman. On motion the report was approved; consideration of the details to be taken up at a later session.

Report of the Committee on Constitution. On motion, sections 11 and 13 were repealed and the sections as reported and recommended by the Committee were adopted; *further*, the Committee was continued and requested to report at a subsequent session on certain proposed modifications of section 16.

Mr. Mettee made the following motion:

"Resolved, That only the latest edition of a text book be retained on the shelves of a law library as a means conducive to an honest guidance to the bar and a proper foundation for a decision by the court, save such treatises of a general nature which are truly handbooks of historical research."

On motion, the resolution was referred to the Executive Committee, with instructions to report at the session to be held on May 27th.

On motion, the thanks of the Association were tendered to Hon. Miles O. Sherrill for his kindness in being present and giving the Association the cordial welcome to Asheville and to North Carolina.

The President announced a nominating committee, to consist of Messrs. Gilbert and King.

It was, on motion, voted to adjourn until May 25th, at 9:30 a. m.

SECOND SESSION.

(First informal meeting) May 25th, at 9:30 a. m., at the Battery Park Hotel. President A. J. Small in the chair.

Mr. Schenk made a detailed statement in explanation of the report of the Committee on indexing legal periodicals.

On motion, it was voted that the Executive Committee appoint a committee of the Association to undertake the compiling and publication of a volume supplementary to Jones' "Index to Legal Periodical Literature," and to include references to articles in American, English and foreign periodicals to as late a date as possible, along the lines suggested in the report of the Committee.

On motion, it was further voted that the Executive Committee appoint another committee to undertake the publication of a quarterly along the lines suggested in the same report.

The Executive Committee, to whom had been referred the resolution with reference to old text books, reported, recommending that the President inquire of the members present, in turn, as to the custom of their libraries in the matter. This having been done, it developed that a large majority of the librarians present retained old editions.

Mr. Hastings, of the Library of Congress, explained the method of distribution of catalog cards printed in the Library of Congress.

On motion, the President was directed to appoint a committee to co-operate with Dr. Scott in the preparation of the report on the proposed classification of law books.

On motion, it was resolved that it was the sense of the American Association of Law Libraries that the Bureau of American Republics be authorized and directed by Congress to procure for American law libraries willing to pay for the same, copies of the law publications of the Latin-American republics.

"Resolved, further: That Mr. Kearney be requested to present this resolu-

tion to the Director of the Bureau, and that the members of this Association make similar representations to the congressmen of their respective localities."

On motion, it was voted to adjourn until 8:30 p. m.

THIRD SESSION.

(Second informal meeting) May 25, 1907, at 8:30 p. m., at the Battery Park Hotel. President A. J. Small in the chair.

This session was devoted to a conference with law-book men.

Mr. C. Willard Smith, of the West Publishing Company, addressed the Association touching upon the necessity of careful study on the part of law librarians of the facilities afforded by the many annotated reports issued by the several law publishing firms for assisting students, lawyers and judges in looking up law points.

Mr. Harold L. Butler, of the American Law Book Company, spoke along similar lines.

As a result of the remarks and discussion which followed, it was, on motion, resolved that at the next annual meeting a session be devoted to the use of law books, and that Professor Roger W. Cooley, of St Paul, be asked to address the Association.

It was on motion, voted that

WHEREAS, Many law libraries, both public and private, prefer to have their law books bound in buckram or canvas instead of sheep; and

WHEREAS, Very few volumes are now being so bound; therefore be it

Resolved, That the several publishers of the current state and federal reports, digests, statutes, laws, and text books be requested to bind in such buckram or canvas, for sale and distribution, such a number of the several law publications as may be sufficient to supply the needs of the libraries signifying a preference for such binding; and further, that a copy of this resolution be sent to the various publishers and librarians.

It was voted to refer to the Executive Committee the preparation of the program for the next annual meeting.

On motion, an adjournment was taken until May 27th, at 8:30 p. m.

FOURTH SESSION.

(Second regular meeting) May 27th, at 8:30 p. m., at the Battery Park Hotel. President A. J. Small in the chair. In the absence of the regular secretary the president appointed Mr. H. L. Butler secretary pro tem.

On behalf of the Committee on Legal Bibliography—Messrs. Gilbert, Crossley, Wire—Mr. Crossley made a verbal report.

On motion, it was

Resolved, That this Association endorse the application of various universities for the establishment of a department of Legal Science in the Carnegie Institution, and the appointment of an advisory committee therefor, and the continuance of the Bibliography Committee of this Association for the purpose of preparing papers and letters necessary to bring this matter to the attention of the proper authorities.

Report of the Committee on Constitution. On motion section 16 of the Constitution was repealed and the section as recommended by the Committee adopted.

On motion, a committee was appointed by the President, consisting of Messrs. Feazel, Schenk and Kearney, to draft a resolution expressing the sympathy of the Association in the bereavement of the Secretary-Treasurer, the death of whose father made it necessary for him to return home.

On motion it was voted that the matter of the share of this Association in the preliminary expenses of the American Library Association convention be referred to the Executive Committee.

The Nominating Committee reported the following candidates for the various offices during the year 1907-8:

A. J. Small, President.

Andrew H. Mettee, Vice-President.

Franklin O. Poole, Secretary-Treasurer.

Elective members of the Executive Committee: E. A. Feazel, Frederick W. Schenk, George Kearney.

A motion that the nominations be closed was carried.

On motion, the Secretary pro tem was directed to cast one ballot for the candidates nominated, which was done.

On motion, the thanks of the Association were tendered those who prepared papers to be read at this convention.

A motion to adjourn being carried, the President declared the second annual conference at an end.

The Executive Committee announce the following committees:

On the publication of the "Quarterly": Messrs. Small, Poole, Gilbert, Mettee, Schenk.

On the exchange of duplicates: Messrs. Mettee, Hewitt, and Mrs. Cobb.

On matters to be taken up with the Library of Congress: Messrs. Kearney, Dean, and Mrs. Klingelsmith.

On bibliography: Messrs. Gilbert and Crossley.

On the indexing of legal periodicals: Messrs. Schenk, Belden, Gilbert, Butler, and Feazel.

On matters to be taken up with the American Bar Association: Messrs. Belden, Holden, and Emery.

On matters pertaining to the extension of interest in the Association: Messrs. Feazel, Dean and King, Miss Smith, and Mrs. Bond.

MEMBERS.

HONORARY.

Griswold, Stephen B. (formerly Law Librarian N. Y. State Library), Oneida, N. Y.

REGULAR.

*Arnold, John H., Librarian Harvard Law Library, Cambridge, Mass.

Belden, Charles F. D., Asst. Librarian Harvard Law Library, Cambridge, Mass.

*Berry, W. J. C., Librarian Mutual Life Insurance Co. Library, New York City.

Bond, Mrs. C. W., Librarian State Library, Cheyenne, Wyo.

*Bongartz, J. Harry, Librarian State Law Library, Providence, R. I.

Butler, Harold L., Librarian American Law Library, New York City.

Carter, John R., Librarian Prudential Ins. Co.'s Law Library, Newark, N. J.

Chase, Arthur H., Librarian State Library, Concord, N. H.

Cheney, George N., Librarian Library of the Court of Appeals, Syracuse, N. Y.

- *Crossley, Frederic B., Librarian Northwestern Univ. Law School, Chicago, Ill.
 Crump, Richard L., Asst. Librarian Association of the Bar, New York City.
 Dean, Claude M., Librarian U. S. Circuit Court of Appeals for the Fourth Circuit, Richmond, Va.
- *Eakins, William Geo., Librarian Law Library of Upper Canada, Osgood Hall, Toronto, Canada.
- *Emery, E. W., Librarian State Library, Augusta, Maine.
- *Feazel, E. A., Librarian Cleveland Law Library Association, Cleveland, Ohio.
 Fisk (Miss) Mary V., Librarian Toledo Law Association, Toledo, Ohio.
 Fraser, A. H. R., Librarian Cornell University Law Library, Ithaca, N. Y.
 Gholson, Edwin, Librarian Law Library Association, Cincinnati, Ohio.
- *Gilbert, Frank B., Librarian State Law Library, Albany, N. Y.
 Gillingham, E. N., Librarian State Library, Salem, Oregon.
 Gillis, J. L., Librarian State Library, Sacramento, Cal.
- *Glasier, Gibson G., Librarian State Library, Madison, Wis.
 Godard, George Seymour, Librarian State Library, Hartford, Conn.
 Goodwin, Edward C., Librarian U. S. Senate Library, Washington, D. C.
- *Gould, C. H., Librarian McGill University Library, Montreal, P. Q.
 Harker, Oliver A., *Dean in charge* Law Library of the University of Illinois, Urbana, Ill.
 Haughtelin, W. Clarence, Asst. Librarian Dept. of Justice, Washington, D. C.
- *Hawkins, Thomas W., Librarian State Library, Jefferson City, Mo.
 Hawley, Edna M., Cataloguer State Library, Salem, Oregon.
 Hawley, Mrs. Eva N., Librarian Detroit College of Law, Detroit, Mich.
- *Hewitt, Luther E., Librarian Philadelphia Bar Association, Philadelphia, Pa.
- *Holden, William H., Librarian Chicago Law Institute, Chicago, Ill.
 Iddings, Daniel W., Librarian The Law Library, Court House, Dayton, Ohio.
- *Jones, Ralph K., Librarian University of Maine, Orono, Maine.
 Kearney, George, Librarian Department of Justice, Washington, D. C.
- *King, John E., Librarian State Library, St. Paul, Minn.
- *Klingensmith, Mrs. Margaret C., Librarian Biddle Law Library, University of Pennsylvania, Philadelphia, Pa.
 Lawson, John D., *Dean in charge* Law Library, Univ. of Missouri, Columbia, Mo.
 Lewson, John, Librarian Law Library, International Harvester Co., Chicago, Ill.
 Lindsey, H. C., Librarian State Library, Lincoln, Neb.
 McDaniel, Arthur S., Asst. Librarian Association of the Bar, New York City.
 Messe, Miss Eva, Librarian Young Men's Hebrew Association Law Library, New York City.
- *Mettee, Andrew H., Librarian Library Co. of the Baltimore Bar, Baltimore, Md.
 Montgomery, Thomas L., Librarian State Library, Harrisburg, Pa.
- *O'Harrow, Omar, Librarian State Law Library, Indianapolis, Ind.
 Packard, Miss Marcia, Librarian Lawrence Bar Association, Lawrence, Mass.
 Parker, Miss Grace Hastings, Assistant Librarian Middlesex Law Library Association, Cambridge, Mass.
 Plunkett, Miss Mattie, Librarian State Library, Jackson, Miss.
- *Poole, Franklin O., Librarian Association of the Bar, New York City.
 Porter, Miss Alice M., Librarian Boston Bar Association, Boston, Mass.
 Ruckteshler, Miss N. Louise, Librarian Follett Mem. Sup. Court Law Library, Norwich, N. Y.
- Russell, Florence A., Asst. Librarian State Library, Des Moines, Ia.
- *Ryan, Edward H., Librarian St. Paul Bldg. Library, New York City.

- *Schenk, Frederick W., Librarian Univ. of Chicago Law Library, Chicago, Ill.
 Scholefield, Ethelbert O. S., Librarian Legislative Library, Victoria, B. C.
 Scott, George Winfield, Law Librarian Library of Congress, Washington, D. C.
 Shaffer, C. Will, Librarian State Law Library, Olympia, Wash.
 Shaw, Thomas, Asst. Librarian Law Library Association, Cleveland, Ohio.
 *Sherman, Charles P., Librarian Yale University Law Library, New Haven, Conn.
 Skinker, Thomas K., President Law Lib. Association of St. Louis, St. Louis, Mo.
 *Small, A. J., Librarian State Law Library, Des Moines, Iowa.
 Smith, Miss Claribel H., Librarian Hampden Co. Law Library, Springfield, Mass.
 Swanson, Edwin C., Librarian Nova Scotia Barristers' Society, Halifax, N. S.
 Thraves, Meade G., Librarian Sandusky Co. Law Lib. Association, Fremont, O.
 Vaughan, Francis W., Librarian Social Law Library, Boston, Mass.
 Wetzol, Otto, Librarian Law Library in Brooklyn County Court House, Brooklyn, N. Y.
 Willever, Edward E., Librarian Edward Thompson Co., Northport, L. I.
 *Wire, G. E., Deputy Librarian Worcester Co. Law Library, Worcester, Mass.

ASSOCIATE.

- Bender, Mathew & Co., Law Booksellers and Publishers, Albany, N. Y.
 Carswell, R., Publishers, Toronto, Canada.
 Chipman, Frank E., Managing Director Boston Book Co., Boston, Mass.
 Cole, T. L., Statute Law Book Co., Washington, D. C.
 Frederick Brothers, Publishers, Albany, N. Y.
 Johns, W. S., Washington, D. C.
 McCarthy, Joseph P., Lawyer, Kalamazoo, Mich.
 MacClean, E. A., Lawyer, New York City.
 Mason, Alfred F., Editor *American Law School Review*, St. Paul, Minn.
 Nijhoff, Wouter, Law Bookseller, The Hague, Holland.
 Smith, C. Williard, West Publishing Co., St. Paul, Minn.
 Soney, Philip G. Soney & Sage, Newark, N. J.
 Soule, Charles C., President Boston Book Co., Boston, Mass.
 Steinmetz, Karl Ed., Business Manager *Index to Legal Periodicals*, Chicago, Ill.
 Wagner, Hugh K., Lawyer, St. Louis, Mo.
 Watson, Archibald R., Editor *The Bench and Bar*, New York City.
 Windson, P. L., Texas University of Law Library, Austin, Texas.

*Charter members.

CONSTITUTION.

SECTION 1. The name of this Association shall be American Association of Law Libraries.

SEC. 2. The object shall be to develop and increase the usefulness and efficiency of the several law libraries.

SEC. 3. There may be three classes of membership—regular, associate, and honorary.

SEC. 4. Any person officially connected with a law library, state library, or with a general library having a separately maintained law section, may be elected to regular membership by the executive committee.

SEC. 5. Persons not connected with law libraries may be elected to associate membership at the discretion of the executive committee.

SEC. 6. The association may at any regular meeting, by a vote of two-thirds of those present, elect honorary members who shall be exempt from dues.

SEC. 7. The right of holding office and voting shall be restricted to regular members.

SEC. 8. In the election of officers the votes shall be by libraries as units.

SEC. 9. The officers shall consist of a president, vice-president, secretary-treasurer, and an executive committee, all of whom shall be elected by ballot at the annual meeting and serve until their successors are qualified.

SEC. 10. The executive committee shall consist of seven members, the president, vice-president, secretary-treasurer, retiring president, and three members. The committee may act officially by correspondence addressed to the secretary-treasurer.

SEC. 11. Vacancies through non-acceptance, resignation or death shall be filled by the executive committee.

SEC. 12. The duties of these several officers shall be those ordinarily assigned to said officers in similar associations. Expenditures not authorized by the association may be made only with the approval of the executive committee.

SEC. 13. An annual meeting of the Association shall be held at the same time and place as the annual meeting of the American Library Association, unless there are special reasons for holding it elsewhere; and in that event the call for the meeting shall be issued in the same manner as provided in Section 14 for special meetings.

SEC. 14. Special meetings may be held at such times and places as the executive committee may elect or the association direct.

SEC. 15. Any by-law may be repealed, amended or suspended by a three-fourths vote of those present and voting at any meeting of the association.

SEC. 16. This constitution may be amended in the manner herein provided. Notice of any amendment shall be filed with the secretary-treasurer at least sixty days before a regular meeting of the Association, and notice thereof shall be sent by the Secretary-Treasurer to the members of the Association at least thirty days prior to said meeting. Such amendments shall be submitted at an annual meeting of the Association, and any member not present thereat may file his vote thereon with the secretary-treasurer, and the same shall be counted as though he were present and voting. If three-quarters of the votes of the members present and voting at such meeting, and of the votes filed as above provided, be in favor of such amendment, it shall stand adopted.

BY-LAWS.

SECTION 1. The annual dues of regular and associate members shall be \$2.00.

SEC. 2. Members failing to pay dues for two successive years shall be dropped from membership.

INDEX TO LEGAL PERIODICALS AND LAW LIBRARY JOURNAL

Published Quarterly by
The American Association of Law Libraries

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Vol. I.

JANUARY 1908

No. 1.

EDITORIAL.

For years there has been discussion and controversy on the questions of trusts or combinations in restraint of trade, commerce, and labor. The state legislatures and Congress have passed laws controlling and regulating these, and the courts have been sought to interpret the phraseology and to declare whether the statutes are in conflict with the state or national constitutions. Articles on these subjects by eminent magazine writers, legislators, jurists, and legal authorities, have been published in the popular, scientific, and legal journals. Debating teams of high schools, colleges and universities, and clubs have debated on some phase of these questions. Instructors in economics, political science, and sociology have endeavored to reconcile the economic and political theories with the legislative enactments and the decisions of the courts.

The legislators, the courts, the debaters, and professors have sought the library to further their investigations along these lines. For these investigators, librarians have been able to locate articles in the popular, economic, sociological, and political journals; for to these journals reference indices have been prepared by the American Library Association and H. W. Wilson Company of Minneapolis. They have also been able to find the laws enacted by the legislatures with the aid of the legislative bulletins issued by the New York State Library, and the decisions of the courts interpreting the legislative enactments with the aid of the state or national digests of court decisions.

To the librarian or investigator who wishes to discover what articles or discussions have been written on these subjects in legal journals, or on other legal subjects, or those which discuss the political, economic, and sociological questions in their relation to law, he must examine the legal journals one by one, as there are no bibliographical helps other than a resume such as appears in the *Harvard Law Review*, *Green Bag*, and *Canadian Law Review*, of articles published in the contemporary legal journals for the previous months.

The American Association of Law Libraries at its first session at Narragansett Pier in 1906, discussed the lack of bibliographical helps to legal periodical literature. A committee of the Association was appointed to report at the next annual meeting on the question of securing a supplementary volume to Jones' "Index to Legal Periodicals." This committee reported at the second annual meeting at Asheville (see report of this committee on p. 20), recommending that the Association undertake and publish a supplementary volume and prepare and publish a quarterly index to the current legal periodical literature, embodying with it a law journal devoted to the interests of the librarian and law profession.

Every librarian, lawyer, or legal teacher recognizes the importance of the discussions of the decisions of the courts, statutes, and general topics which appear in the legal journals; and in the INDEX the officers of the Association hope to submit quarterly to its subscribers an index-digest by authors and subjects of the periodical literature of the preceding quarter.

In the journal portion there will appear in each issue at least one original leading article on a subject of especial interest to law librarians, bibliographies of special legal subjects, and a list of new text books, statutes, and digests published during the quarter. Space will be devoted to errata discovered in legal publications, queries, and replies.

THE INDEX TO LEGAL PERIODICALS AND LAW LIBRARY JOURNAL has no connection with any existing enterprise. It is the independent publication by the Association, subject to no influence other than an earnest desire to serve its mission faithfully and to advocate, as far as is consistent, a higher standard and usefulness of law libraries.

Inasmuch as this is the official organ of the Association and one in which each of its members is asked to take some part, the editors urgently request that any criticisms or suggestions be submitted to them. Communications and original papers on subjects of interest to librarians and to members of the legal profession are solicited. The editors will endeavor to make the journal worthy of their patronage, and will endeavor to prepare an index in its quarterly parts and cumulative annual volume which will be worthy of the high aim of the Association.

The indexing of the present issue has been prepared by Mr. Schenk. It is not an index of all the legal periodicals, but merely a selection to illustrate the style and method of indexing. The indexing for the second number is being prepared co-operatively by the members of the Association under direction of the board of editors, and it is hoped to index the legal journals in America, Canada, England, and the British Colonies. In the future numbers it is hoped to index the Bar Association Reports, and to review the journals which are devoted to Political Science, Sociology, and Economics, and index those articles which have bearing on the law. It is further planned to examine the state reports and index the court rules, and memorials of the bench and bar which often appear in these volumes. As soon as the publication secures financial support to warrant the undertaking, the editors plan to index the continental law journals.

THIRD ANNUAL MEETING OF THE ASSOCIATION AT LAKE MINNETONKA.

The next meeting of the Association will be held during the last week in June, 1908, at Lake Minnetonka, Minn., being simultaneous with the meeting of the American Library Association.

Arrangements are being made for headquarters, and the program is in the hands of a committee who is giving much thought and time to it. Among the special features of the program will be a lecture by Prof. Cooley, of St. Paul, on the use of law books. Mr. Feazel, of Cleveland, Ohio, will deliver the principal address before the general session. Also, several other interesting numbers are being considered. A more complete announcement will be made in our next issue.

We hope that a goodly number are arranging to be at Minnetonka, and we give the assurance that the sessions will be pleasant and profitable.

BIBLIOGRAPHY OF GEORGE SHARSWOOD.

The editors beg to call attention to the bibliography of George Sharswood, prepared by Mr. Luther E. Hewitt, Librarian of the Philadelphia Bar Association, which appeared in the October, 1907, number of the *American Law Register*.

CANADIAN LAW TIMES—CANADIAN LAW REVIEW.

The publishers of the *Canadian Law Times*, founded in 1881, and the *Canadian Law Review*, founded in 1901, announce that they have amalgamated, beginning January, 1908, under the name, *Canadian Law Times and Review*, and will be published under the editorial management of Mr. Charles Elliot, Toronto, editor of the *Canadian Law Review* since its commencement.

UNIVERSITY OF PENNSYLVANIA LAW REVIEW—AMERICAN LAW REGISTER.

The name of the *American Law Register*, founded in 1852, has been changed with the January issue, 1908, to the *University of Pennsylvania Law Review and American Law Register*. The board of editors announce that they have discontinued the department heretofore known as "Progress in Law," and will publish in its stead a series of notes and comments on the most important recent cases.

EXECUTIVE COMMITTEE.

The Executive Committee of the Association met in Chicago December 28-30, 1907, President Small and Messrs. Poole, Feazel, and Schenk being present. Mr. John E. King and Professor Roger W. Cooley, on the invitation of the committee, were present. Mr. King gave a report of the preparations for entertainment at the conference at Lake Minnetonka. Professor Cooley reviewed a number of index sheets and offered suggestions. The Committee on Indexing to Legal Periodicals was constituted a Board of Editors and authorized to publish the journal, the title to be the "INDEX TO LEGAL PERIODICALS AND LAW LIBRARY JOURNAL." The Board of Editors were authorized to secure the services of a business manager. The program for the meeting at Lake Minnetonka was outlined. A full report of the proceedings of the Executive Committee will be submitted to the members of the Association at the meeting of Lake Minnetonka.

BUSINESS MANAGER.

Mr. Karl E. Steinmetz, a student in the University of Chicago Law School, was appointed by the Board of Editors as Business Manager. Mr. Steinmetz was formerly business manager of college publications at Maryville College, Maryville, Tenn.